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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,704	12/08/2003	Norman Herron	UC0213USNA3	5871
23906	7590	07/18/2006	EXAMINER	
E I DU PONT DE NEMOURS AND COMPANY			THOMAS, JAISON P	
LEGAL PATENT RECORDS CENTER				
BARLEY MILL PLAZA 25/1128			ART UNIT	
4417 LANCASTER PIKE			PAPER NUMBER	
WILMINGTON, DE 19805			1751	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

1751

Part of Paper No./Mail Date 20060703

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-10 and 42-51, drawn to a composition of Formula I, Figure 1, classified in class 252, subclass 500.
 - II. Claims 11-29 and 52-61, drawn to a composition of Formula II, Figure 2, classified in class 252, subclass 500.
 - III. Claims 30-41 and 52-61, drawn to a composition of Formula III, Figure 3, classified in class 252, subclass 500.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I (and II) and III are directed to related products. The related inventions are distinct if the inventions as claimed do not overlap in scope, i.e., are mutually exclusive; the inventions as claimed are not obvious variants; and the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect. See MPEP § 806.05(j). In the instant case, Inventions I (and II) and III have different chemical structures and therefore can have different modes of operations for charge transport applications. Also because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

3. No claim is generic to the following disclosed patentably distinct species:

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(Select one species from each of the following groupings)

For quinoxaline derivative:

Species I: Formulae I(a)-I(i) and I(j) (e.g. Claim 9 and 10)

Species II: Formulae I(k)-I(ag) (e.g. Claim 9)

Species III: Formulae II(b)-II(g) and II(i)-II(k) (e.g. Claim 28)

Species IV: Formulae II(a), II(h), II(l), and II(m) (e.g. Claim 29)

For R1:

Species I: Phenyl alkenyl, phenyl alkynyl, alkynylaryl, alkenylaryl, alkylenearyl

Species II: Substituted phenyl alkenyl, substituted phenyl alkynyl

Species III: Alkyl, Alkyl groups containing 1 through 12 carbon atoms, alkenyl, alkynyl, aryl, heteroalkyl

Species IV: Arylcarbonyl, alkylacetate

Species V: H, F, Cl, Br

Species VI: Alkyleneheteroaryl, alkenylheteroaryl, alkynylheteroaryl, heteroaryl

Species VIII: $C_nH_aF_b$, $OC_nH_aF_b$, $C_6H_cF_d$, $OC_6H_cF_d$

For R2:

Species I: Phenyl and substituted phenyl groups, aryl, alkynylaryl, alkenylaryl, alkylenearyl

Species II: Pyridyl and substituted pyridyl groups

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Species III: Biphenylene and substituted biphenylene groups

Species IV: Bipyridylene and substituted bipyridylene groups

Species V: Alkyleneheteroaryl, alkenylheteroaryl, alkynylheteroaryl, heteroaryl

Species VI: $C_nH_aF_b$, $OC_nH_aF_b$, $C_6H_cF_d$, $OC_6H_cF_d$

Species VII: Alkyl, alkenyl, alkynyl, heteroalkyl

Species VIII: H, F, Cl, Br

For R3:

Species I: Alkyl, heteroalkyl, and alkyl and heteroalkyl groups contains 1-12 carbon atoms

Species II: Alkylene, heteroalkylene

Species III: Phenyl and substituted phenyl groups

Species IV: Arylenealkylene, heteroarylenealkylene, arylene, heteroarylene

For Q:

Species I: Aryl/aromatic groups, single ring, multiple ring, and fused ring

Species II: Heteroaromatic groups, single ring, multiple ring and fused ring

Species II: Aliphatic groups and heteroaliphatic groups

Species III: Formulae V(a) thru V(h)

Species IV: Arylamines, silanes and siloxanes

Species V: Single bond, multivalent group

The species are independent or distinct because they are directed to different chemical structures and therefore can have different modes of operation. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaison P. Thomas whose telephone number is (571) 272-8917. The examiner can normally be reached on Mon-Fri 8:30 am to 5:00 pm.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaison Thomas
Examiner
7/03/2006


Mark Kopec
Primary Examiner